

The Corporation of the City of Kawartha Lakes

By-Law 2023-____

A By-Law To Dedicate and Assume Land Within the City of Kawartha Lakes, Described as Part 1, 57R-8926 PIN 63166-0136 (LT), Robinson Avenue, Geographic Township of Eldon, Now City Of Kawartha Lakes

[File: B-055/03] Report PLAN2023-058, respecting Part 1, Reference Plan 57R-8926, abutting Robinson Avenue.

Recitals:

1. Council adopted By-law 2012-080 to delegate certain authority to the Director of Public Works and to the Director of Development Services regarding road widening lands, reserves and easements.
2. Part 1, 57R-8926, PIN 63166-0136 (LT) was established to limit access beyond Robinson Avenue to the abutting property (ARN: 165116003025400). The 0.3 metre (one foot) reserve was conveyed to the City of Kawartha Lakes at the time of approval for provisional consent for Application B-055/03, which was never perfected.
3. The Director of Development Services has reviewed the parcel of land as referenced in this By-law. Since Application B-055/03 was never perfected, the 0.3 metre (one foot) reserve is no longer necessary to prevent access to the abutting property (ARN: 165116003025400) and can now be lifted.
4. Council deems it appropriate to lift the 0.3 metre (one foot) reserve on the subject land and to dedicate and assume the land as public highway.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2023-____.

Section 1:00 Definitions and Interpretation

- 1.01 **“By-law”** means this By-law, as it may be amended from time to time. The Recitals to, and the Schedules attached to this By-law are considered integral parts of it.
- 1.02 **“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area.
- 1.03 **“Council” or “City Council”** means the municipal Council for the City.
- 1.04 **“Director”** means the Director of Development Services or the Director of Public Works or the person who holds either position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

- 1.05 The Schedules attached to this By-law form part of the By-law and are enforceable as such.
- 1.06 The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

Section 2:00 Statutes

- 2.01 References to laws in this By-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

Section 3:00 Severability

- 3.01 If a court or tribunal or competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law shall be considered to be severed from the balance of the By-law, which shall continue to operate in full force and effect.

Section 4:00 Highway Assumption

- 4.01 **Assumption:** That the parcel of land affected by this By-law abutting Robinson Avenue, described as Part 1, 57R-8926, PIN 63166-0136 (LT), geographic Township of Eldon, City of Kawartha Lakes, be dedicated and assumed as a public highway now forming part of Robinson Avenue.

Section 5:00 Effective Date

- 5.01 **Force and Effect:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 24th day of October, 2023.

Douglas J.F. Elmslie, Deputy Mayor

Cathie Ritchie, Clerk

Schedule "A" to City of Kawartha Lakes By-law Number 2023-____

Description of Land

All and Singular that certain parcel or tract of land and premises situate, lying and being in the geographic Township of Eldon, in the City of Kawartha Lakes and the Province of Ontario, and being composed of land abutting Robinson Avenue described as Part 1, Reference Plan 57R-8926, PIN 63166-0136 (LT)